

PERSONNEL COMMITTEE

8/19/2015

304 E Grand River, Conference Room 4A, Howell, Michigan 48843

8:00 AM

AGENDA

1. **CALL MEETING TO ORDER**
2. **APPROVAL OF AGENDA**
3. **CALL TO THE PUBLIC**
4. **APPROVAL OF MINUTES**
Meeting Minutes Dated: July 22, 2015
5. **REPORTS**
6. **RESOLUTIONS FOR CONSIDERATION**

07 Human Resources
RESOLUTION APPROVING THE RECLASSIFICATION OF THE CIRCUIT COURT ADMINISTRATOR, GR. 13 TO CIRCUIT AND PROBATE COURT ADMINISTRATOR, GR. 14

08 Human Resources
RESOLUTION GRANTING THE CIRCUIT COURT'S REQUEST FOR PAY ABOVE THE STANDARD RATE FOR A PROMOTED EMPLOYEE

09 Human Resources
RESOLUTION TO REVISE THE CLASSIFICATION AND COMPENSATION ADMINISTRATIVE GUIDELINES

10 Administration
RESOLUTION AUTHORIZING AN ADDITIONAL CONTRIBUTION TO MERS

11 Human Resources
RESOLUTION AUTHORIZING A STRATEGIC BUSINESS PARTNERSHIP AGREEMENT WITH CLEARY UNIVERSITY

12 Human Resources
RESOLUTION TO SUSPEND THE VOLUNTARY FURLOUGH POLICY FOR LIVINGSTON COUNTY EMPLOYEES

13 Human Resources
RESOLUTION TO CERTIFY OFFICER AND EMPLOYEE DELEGATES TO THE MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM ANNUAL MEETING

14. ADJOURNMENT

MEETING MINUTES

LIVINGSTON COUNTY

JULY 22, 2015 – 8:00 AM

ADMINISTRATION BUILDING – CONFERENCE ROOM 4A
304 E. Grand River Avenue, Howell, MI 48843

PERSONNEL SUBCOMMITTEE MEETING

COMM. VANHOUTEN COMM. GRIFFITH COMM. LAWRENCE COMM. GREEN

OTHERS: CINDY CATANACH, JENNIFER PALMBOS, KEN HINTON, TERRY LEE, MELISSA SCHARRER, DAVID READER

1. **CALL TO ORDER:** Meeting called to order by: Comm. VanHouten at 8:00 am.

2. **APPROVAL OF AGENDA:**

MOTION TO APPROVE THE AGENDA
MOVED BY: LAWRENCE / SECONDED BY: GREEN
ALL IN FAVOR - MOTION PASSED

3. **CALL TO THE PUBLIC:** None

4. **APPROVAL OF MEETING MINUTES of June 25, 2015:**

MOTION TO APPROVE THE MINUTES OF JUNE 24, 2015
MOVED BY: LAWRENCE / SECONDED BY: GRIFFITH
ALL IN FAVOR – MOTION PASSED

5. **REPORTS:** None

6. **DISCUSSION:** Courts' request related to compensation for a promoted employee – Policy will be reviewed at next month's meeting of August 19, 2015.

7. **HUMAN RESOURCES:** Resolution to Authorize Fifth Amendment to County of Livingston Retiree Health Savings Program

MOTION TO APPROVE THE ABOVE RESOLUTION
MOVED BY GREEN / SECONDED BY GRIFFITH
ALL IN FAVOR – MOTION PASSED

8. HUMAN RESOURCES: Resolution to Purchase MERS Generic Service Credit by Joel Ash

**MOTION TO APPROVE THE ABOVE RESOLUTION
MOVED BY GRIFFITH / SECONDED BY GREEN
ALL IN FAVOR – MOTION PASSED**

Continued Discussion: Related to the Courts' request related to compensation for a promoted employee.

9. ADJOURNMENT

**MOTIONED BY LAWRENCE / SECONDED BY GREEN
TO ADJOURN AT 9:05 AM
ALL IN FAVOR – MOTION PASSED**

Respectfully Submitted,

**TERRY LEE
HR COORDINATOR**

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION TO APPROVE THE JOB RECLASSIFICATION OF THE CIRCUIT COURT ADMINISTRATOR, GR. 13 TO CIRCUIT AND PROBATE COURT ADMINISTRATOR, GR. 14 *Personnel Subcommittee 08/19/15*

WHEREAS, the duties covering the fiscal and personnel management, budgeting development and oversight of the previous position of Probate Administrator/Register/Hearing Officer have been transferred to the Circuit Court Administrator's position; and

WHEREAS, this position has been evaluated by Municipal Consulting Services, LLC, who is recommending this position be reclassified from a Grade 13 to a Grade 14 due to greater values in supervision, judgment, independence, job complexity and the impact on operations. This resolution has been recommended for approval by the Personnel Committee; and

WHEREAS, funding for this position is provided by vacancy savings in the department.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves the reclassification of the Circuit Court Administrator, Gr. 13 to Circuit and Probate Administrator, Gr. 14 effective with the approval of this resolution.

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MOVED:
SECONDED:
CARRIED:

LIVINGSTON COUNTY JOB DESCRIPTION

CIRCUIT AND PROBATE COURT ADMINISTRATOR

Supervised By: Chief Judge and Presiding Judge

Supervises: All employees of the Circuit and Probate Courts, either directly or indirectly

FLSA Status: Exempt

Position Summary:

Under the direction of the Chief Judge and Presiding Judge is responsible for managing and coordinating the administrative functions of the Circuit and Probate Courts and the Juvenile Division of the Circuit Court including fiscal and personnel management. Responsibilities include preparing, presenting, implementing and monitoring budgets for the Circuit and Probate Courts and the Juvenile Division of the Circuit Court. Develops and implements programs and policies to improve court services and maintain compliance with statutes and court rules.

Essential Job Functions:

An employee in this position may be called upon to do any or all of the following essential functions. These examples do not include all of the duties, which the employee may be expected to perform. To perform this job successfully, an individual must be able to perform each essential function satisfactorily.

1. Plans, organizes, and directs all aspects of departmental operations including personnel, budgeting, planning, and general administration. Develops and implements departmental policies, procedures and regulations.
2. Assesses department operations, staffing levels, facilities, and equipment. Analyzes budgetary and resource needs, makes recommendations for improvements, and implements changes. Monitors operational costs and makes recommendations for increasing efficiency.
3. Prepares and presents annual budget requests, administers departmental budget, and ensures that the authorized budgetary and purchasing procedures are properly used.
4. Assigns or delegates responsibility for assignment of work, directs personnel, evaluates performance of all employees and assures necessary training and professional development. Takes disciplinary action according to established procedures.
5. Negotiates or oversees the negotiation and administration of all contracts of the Court in accordance with Court and County policies and procedures.

6. Facilitates communication and collaboration of the Circuit and Probate Courts and the Juvenile Division of the Circuit Court with the Michigan Supreme Court, the State Court Administrative Office, other trial courts, the Prosecuting Attorney's Office, community organizations, law enforcement agencies, Michigan Department of Human Services, schools, County administration and the Board of Commissioners, attorneys, and others to promote efficient and effective administration of justice and delivery of service to families and children in the County.
7. Supervises the quality and quantity of casework services administered to families and children who are under Court jurisdiction in the Juvenile Division of the Court. This includes overseeing the work of Court staff as well as services provided by state and private agencies. Oversees and participates in the development and implementation of programs designed to prevent, intervene, divert, and control delinquent behavior and meet the changing needs of juveniles referred to the Court. Drafts plans, seeks funding, prepares program goals, and makes presentations.
8. Reviews, analyzes, and coordinates the operation of all specialty court grants and programs and the Safe Havens project to establish program goals, improve operational efficiency, and improve program services. Develops and reviews policies and procedures for each and recommends modifications to the Chief Judge. Designs, develops, and oversees the implementation of programs involving specialty courts and Safe Havens. Directs, monitors and evaluates the effectiveness of the programs. Supervises program and project managers.
9. Investigates and resolves problems and complaints that are referred by Judges, staff, clients, attorneys, Commissioners, other County departments, or the general public.
10. Defines management information requirements and oversees the collection, compilation, and analysis of statistical data. Prepares or directs the preparation of required reports, including reports required by the State Court Administrative Office, and analyzes data, including statistical activity reports, reports on placements, grant reports, collection reports and others as directed. Oversees the processing and maintenance of all records of the Circuit and Probate Courts and the Juvenile Division of the Circuit Court and estimates future caseloads to project possible changes in staffing or case processing procedures.
11. Coordinates and attends meetings of the Chief Judge and the other judges of the three trial courts and the court administrators. Attends Safe Havens project meetings, and other committees related to court functions and projects.
12. Performs such other duties as directed by the Chief Judge which are determined to be reasonable and necessary for the operation of the Circuit and Probate Courts and the Juvenile Division of the Circuit Court.

13. Keeps abreast of legislative and regulatory developments, new administrative techniques, and current issues through continued education and professional growth. Attends conferences, workshops, and seminars as appropriate.
14. Performs other duties as directed.

Required Knowledge, Skills, Abilities and Minimum Qualifications:

The requirements listed below are representative of the knowledge, skills, abilities and minimum qualifications necessary to perform the essential functions of the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the job.

Requirements include the following:

- Master's Degree in business administration, public administration, or related field and seven years of progressively more responsible experience in court administration, including supervisory and management experience.
- The County, at its discretion, may consider an alternative combination of formal education and work experience.
- Michigan Vehicle Operator's License.
- Thorough knowledge of the professional public management techniques involved in budgeting, personnel administration and resource management, and the ability to identify and implement new best practices.
- Thorough knowledge of the principles and practices of the State of Michigan Circuit Court system, procedures and statutes, and judicial administration.
- Considerable knowledge of Circuit and Probate Court rules, policies and procedures, case flow management, basic accounting principles and applicable local, state, and federal laws, rules, and regulations.
- Skill in assembling and analyzing data, preparing comprehensive and accurate reports, and formulating policy and service recommendations.
- Skill in effectively communicating ideas and concepts orally and in writing, and making presentations in public forums.
- Ability to establish effective working relationships and use good judgment, initiative and resourcefulness when dealing with County employees, contractors to the County, representatives of other governmental units, professional contacts, elected officials, and the public.
- Ability to assess situations, solve problems, work effectively under stress, within

deadlines, and in emergency situations.

- Skill in the use of office equipment and technology, including Microsoft Suite applications, the County's financial software and County, court and state software databases.
- Ability to attend meetings scheduled at times other than normal business hours.

Physical Demands and Work Environment:

The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to communicate in person and by telephone, read regular and small print, view and produce written and electronic documents, and enter data on a computer keyboard with repetitive keystrokes. The employee must be mobile in an office setting, stand, sit, stoop and kneel, use hands to finger, handle, or feel and reach with hands and arms. The employee must lift or push/pull objects of up to 15 lbs. without assistance. Accommodation will be made, as needed, for office employees required to lift or move objects that exceed this weight.

The typical work environment of this job is a business office setting where the noise level is quiet and sometimes moderate.

MUNICIPAL CONSULTING SERVICES LLC

July 22, 2015

RECEIVED BY

JUL 24 2015

Human Resources

Ms. Jennifer Palmbos
Director of Human Resources/Labor Relations
Livingston County
304 East Grand River Avenue, Suite 205
Howell, MI 48843

Dear Ms. Palmbos,

This letter is in regard to your request for our firm to conduct two reclassification analyses for the modified positions of Probate Attorney/Register/Hearing Officer and Circuit and Probate Court Administrator in the Livingston County Courts' organization. In completing the classification analyses for these positions I have performed the following tasks:

- Reviewed job-related information including the job description modifications submitted by the Courts.
- Evaluated each change and the reallocation of duties and responsibilities among the positions.
- Reviewed information regarding Livingston County's classification and compensation system including previous job evaluation totals and the grade structure that was developed in 2014.
- Point-factored the two modified classifications utilizing the accumulated understanding of each position, the pay structure and the job evaluation (point factor) plan.
- Developed a recommended pay grade level for each classification.

The results of the classification analyses for the two positions are included in the attached Table A. Each position was evaluated based on ten compensable job factors. These are the same factors and values that were utilized to develop Livingston County's existing pay grade structure.

POINT FACTOR ANALYSIS FOR THE PROBATE ATTORNEY/REGISTER/HEARING OFFICER

The Probate Attorney/Register/Hearing Officer retains many of the duties of the former Probate Court Administrator/Register/Hearing Officer but loses responsibility for Probate Court administration including fiscal and personnel management and budgetary development and oversight. The position retains responsibility for day-to-day supervision of Probate Court employees and the many legal aspects and procedural requirements of the job.

In the development of the County's existing grade structure, the original position (i.e. Probate Court Administrator/Register/Hearing Officer) scored near the top of grade 11 in regard to total points. The new position loses some points for supervision (overall personnel management), job complexity and impact on operations. Despite these subtractions from the point total, the final point total of 2,239 retains the new position in Grade 11 of the pay grade structure. This is our recommended grade.

**POINT FACTOR ANALYSIS FOR THE CIRCUIT AND
PROBATE COURT ADMINISTRATOR**

The previous Circuit Court Administrator position is now expanded to include responsibility for Probate Court administration. This change impacts four job factors. Related to this, in point factoring the position we have added point value for supervision, judgment and independence, job complexity and impact on operations.

The results of the point factor evaluation are also summarized in the attached Table A. In conclusion, the analysis has resulted in a point total of 2,685 for the Circuit and Probate Court Administrator. This total would place the new position in grade 14 of the County's pay grade structure. This is our recommended grade.

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We have appreciated the opportunity to assist Livingston County in these important reclassification requests. Please feel free to contact me at 734.904.4632 if you have questions or wish to discuss the findings and conclusions.

Very truly yours,



Mark W. Nottley, Principal
Municipal Consulting Services LLC

TABLE A
LIVINGSTON COUNTY
POINT TOTALS FROM RECLASSIFICATION ANALYSIS PROCESS OF JULY, 2015

Classifications Reviewed:	1	2	3	4	5	6	7	8	9	10	Recommended Total Points:	Recommended Grade:
Probate Attorney/Register/Hearing Officer	404	420	320	70	390	130	90	375	40	0	2239	11
Circuit and Probate Court Administrator	435	510	340	120	510	140	90	500	40	0	2685	14

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION GRANTING THE CIRCUIT COURT'S REQUEST TO PAY A PROMOTED EMPLOYEE ABOVE THE STANDARD RATE

WHEREAS, the Circuit Court requested the Personnel Committee to approve the pay of a promoted employee above the standard rate of at least equal to the minimum of the new salary range and/or the closest step that would result in at least a five percent (5%) increase; and

WHEREAS, the promoted employee, Michelle Ziel-Warner, exceeds the qualifications for the position inasmuch as the Attorney Referee position requires five years of progressively more responsible professional legal experience and this successful candidate has twenty (20) years' experience working as a Research Attorney for the Circuit Court judges she will be assisting with the resolution of a variety of domestic issues; and

WHEREAS, this experience has given Ms. Ziel-Warner thorough knowledge of the principals and practices of Michigan domestic law, mediation, and conflict resolution and conducting legal research and she has obtained considerable knowledge of the Michigan Friend of the Court system, court procedures and practices, maintaining case files, and applicable local, state, and federal laws, rules, and regulations; and

WHEREAS, Ms. Ziel-Warner has demonstrated knowledge and skill in analyzing and researching statutes and case law, preparing and interpreting legal documents, and interpreting evidence, as well as skill in effectively communicating ideas and concepts orally and in writing.

WHEREAS, due to the demonstrated skills, qualifications, and experience of Ms. Ziel-Warner, the Personnel Committee grants the Circuit Court's request.

THEREFORE BE IT RESOLVED that the Livingston County Personnel Committee hereby approves the pay rate for Michelle Ziel-Warner in the promoted role of Attorney Referee at Grade 13, Step 2, \$76,432 annually.

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MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION TO REVISE THE CLASSIFICATION AND COMPENSATION ADMINISTRATIVE GUIDELINES

WHEREAS, the Classification and Compensation Administrative Guidelines is the County policy related to the non-union job classification and compensation program; and

WHEREAS, in order to synchronize the Determination of Starting Rates of Pay and Promotion sections of the policy, the Promotions section will now provide, “The new rate of pay of the individual being promoted should be at least equal to the minimum of the new salary range and/or the closest step that would result in at least a five percent (5%) increase. **The County Administrator and/or the Director of Human Resources and Labor Relations can approve a starting rate of pay up to the one year step.**”

WHEREAS, this Resolution has been recommended for approval by the Personnel Committee.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby approves this Resolution to modify the Classification and Compensation Administrative Guidelines to allow the County Administrator and/or the Director of Human Resources and Labor Relations to approve a starting rate of pay up to the one year step for employees receiving promotions.

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MOVED:

SECONDED:

CARRIED:

LIVINGSTON COUNTY COMPENSATION/CLASSIFICATION GUIDELINES

RESOLUTION #

APPROVED:

A. POLICY

1. PURPOSE:

To establish guidelines for the ongoing maintenance of the job classification and compensation program.

2. POLICY STATEMENT:

The intent of the compensation philosophy is to maintain a competitive compensation program in order to attract, retain, and motivate qualified employees. To that end, the following principles will govern our compensation guidelines.

Eleven counties are used for comparative purposes. Included in the comparable group are: Allegan County, Berrien County, Ingham County, Jackson County, Kalamazoo County, Monroe County, Muskegon County, Ottawa County, Saginaw County, St. Clair County and Washtenaw County.

From time to time, the Director of Human Resources and Labor Relations may recommend that other market comparables should be used (other county governments, or private sectors employers) where information from the primary labor market is considered insufficient to attract and retain specific positions or classes.

Livingston County does not want to lead nor does Livingston County want to be average. Generally, our competitive position is based on the median maximum (50th percentile) plus approximately six percent (6%) being made available through two Merit Steps, Merit I, Step 8 and Merit II, Step 9.

A point factor job evaluation is used to determine internal equity. A Job Analysis Questionnaire will be completed to collect data regarding various county jobs. The following factors along with their weights are used:

Factor

1. Education and Relevant Experience
2. Judgment and Independence of Action
3. Internal and External Relations
4. Supervisory or Managerial Responsibility
5. Job Complexity
6. Responsibility for the Welfare and Rights of Others
7. Technology Use
8. Impact on Programs, Services and Operations
9. Document Concentration
10. Work Environment

Once points have been identified for all factors, total points are computed. After point totals have been determined for all jobs, the jobs will be grouped together into pay grades. The assignment of jobs to various pay grades is directly linked to the job evaluation plan and based on the factor ratings.

The salary schedule has been built providing for three percent (3.00%) adjustment between steps and nine percent (7.5% or 10%) between grades.

3. APPLICABILITY:

Applies to all non-union Livingston County employees.

4. DEFINITIONS:

Job Evaluation – The systematic determination of the relative worth of jobs within the organization.

Point Factor Method – Breaking down jobs into various factors and placing weights, or points on them. Once points have been identified for all factors, the total points are computed which determines grade placement.

Anniversary Date – An employee's continuous service in his/her current position. Generally, the anniversary date is the same as the "date of hire." However, a promotion normally changes one's anniversary date. The anniversary date is the date used to determine when an employee becomes eligible for a step increase.

Reclassification – A change in the grade placement of a job as a result of a redefinition of the duties and/or qualification requirements of the position.

Red-Circled – Individual pay is above that of his/her salary range – that employee is considered to be "red circled."

Promotion - An individual is transferred or reassigned to a job in a higher pay grade than his or her existing pay grade which will result in an increase in the rate of pay to the individual being promoted.

Demotion – An individual is transferred or reassigned to a job in a lower pay grade than his or her existing pay grade. Depending upon the circumstances, a demotion may result in a decrease in the rate of pay of the individual.

5. REFERENCE AND LEGAL AUTHORITY:

6. SEE ALSO:

Policy: Merit Steps

Form: Job Analysis Questionnaire (JAQ)

Form: Personnel Action Form (PAR)

7. SUPERSEDES: No. 105-033

8. APPROVED BY:

Personnel Committee 11/10/04

9. RESOLUTION: No. 305-127 03/21/05

10. REVIEW HISTORY:

1. PROCEDURE

Responsibility for Administration

The Director of Human Resources and Labor Relations is responsible for reviewing and providing recommendations with respect to job evaluation and pay grade assignments (e.g., new jobs, reclassifications, etc.) to the Personnel Committee (or other designated committee) of the Board of Commissioners. The Personnel Committee will have the final approval of all job evaluation and pay grade assignments. It is important that any recommendations concerning job evaluation be prepared by individuals with direct knowledge about (1) the specific content and requirements of the job(s) being evaluated, (2) the general content of other classifications within the County to permit a meaningful comparison, and (3) the impact job evaluation decisions may have on the internal equity of the established salary structure.

Adding New Jobs to the Compensation Structure

If a department wants to create a new position, it must first seek and receive approval by the Board Committee the department is assigned to. If the Committee grants approval, the Director of Human Resources and Labor Relations will be responsible for determining if a new classification needs to be established for the new position. The entire process will proceed as follows:

- A. The responsible Department Head/Elected Official shall initiate the process by completing the necessary paperwork to create a new position and submitting it to the Department's assigned Board Committee.
- B. The Committee shall be responsible for evaluating the request for a new position and determining whether approval is to be granted. The decision shall then be communicated to the responsible Department Head/Elected Official.
- C. Upon approval of the position, the responsible immediate supervisor will be asked to further explain or document in writing the position's job duties and responsibilities and minimum qualification requirements through the completion of a Job Analysis Questionnaire. The questionnaire and other job related documentation should be forwarded to the Director of Human Resources and Labor Relations.
- D. The Director of Human Resources and Labor Relations shall be responsible for reviewing the position information and developing a job description. The Director of Human Resources and Labor Relations shall also be responsible for evaluating the new position and recommending grade placement within the compensation structure to the Personnel Committee. Comparable salary information should also be collected when possible to assist in the determination of the pay grade placement of the position. The Personnel Committee will then have the final approval of the pay grade assignment.
- E. The responsible Department Head/Elected Official will be notified of the results.

Reclassification Procedures

A reclassification is a change in the grade placement as a result of a redefinition of the duties and/or qualification requirements of the position. If the duties/responsibilities and/or qualifications of an established position are permanently and significantly changed, the following action should be taken:

- A. The responsible Department Head/Elected Official shall initiate the process by submitting a request for a position reclassification to the Director of Human Resources and Labor Relations, documenting completely the reasons for the position reclassification request.
- B. The position incumbent and the incumbent's immediate supervisor may be asked to further explain or document in writing the position's job duties and responsibilities and minimum qualification requirements

through the completion of a Job Analysis Questionnaire. The questionnaire and other job related documentation should be forwarded to the Director of Human Resources and Labor Relations.

C. The Director of Human Resources and Labor Relations shall be responsible for evaluating the new position and recommending grade placement in the position within the compensation structure to the Personnel Committee. Comparable salary information should also be collected when possible to assist in the determination of the pay grade placement of the position. An upgraded job description will be prepared as warranted. The Personnel Committee will then have final approval of the pay grade placement of the position.

D. The responsible Department Head/Elected Official will be notified of the results.

E. Should an existing position be reclassified to a higher pay grade, the pay of the incumbent(s) whose current salary is less than the minimum of the new assigned salary range will be placed on the step closest to but not less than his/her current salary.

F. In instances when a job is reclassified to a lower pay grade because a re-evaluation indicated reduced duties, a pay reduction may or may not occur. The decision whether to reduce the pay of the incumbent(s) will be determined on a case-by-case basis by the Director of Human Resources and Labor Relations depending upon circumstances of the reclassification.

Determination of Starting Rates of Pay

The determination of the appropriate starting pay for a new hire should be accomplished through the cooperative efforts of the Director of Human Resources and Labor Relations and the appropriate immediate supervisor. In general, starting rates should be at the minimum of the assigned salary range. Starting pay which is higher than the minimum of the assigned salary range may be acceptable for such reasons as education and/or work experience directly applicable to the job which exceeds the minimum employment requirements, a competitive market situation, a special and specific talent, and the like. The County Administrator and/or the Director of Human Resources and Labor Relations can approve a starting rate of pay up to the one year step. Granting a starting rate of pay above the one year step must be approved by the Personnel Committee.

Note: Care should be taken to avoid establishing the new employee's rate of pay in an amount that exceeds the salary of any existing staff member in the same job classification with comparable years of relevant work experience, education and training. Maintaining appropriate internal equity between a new employee and current job incumbents is critical to the integrity and functionality of the County's compensation system.

Movement within the Pay Structure

A. Annual Pay Increases/Step Increases

Employees will generally receive a one-step pay increase on their anniversary date after each year of employment. In no instance should an increase to an employee's pay rate be such that the new pay rate exceeds the maximum of their assigned pay range. Additionally, employees may receive an economic adjustment to their rate of pay each year equal to any adjustment made to the pay structure. This adjustment is granted to every employee whose current rate of pay is at or below the salary range maximum of their assigned pay grade.

Step increases indicated on the Livingston County Salary progression plan are not automatic. Department heads wishing to recommend employees for step increases will submit a County Personnel Action Request (PAR) form to Human Resources.

Department heads/elected officials not wishing to recommend personnel for step increases will notify the affected employee prior to the employee's anniversary date.

B. "Red Circled" Employees

If the pay of an individual employee is above that of their assigned salary range, that employee is considered to be "red-circled." Because the maximum of the salary range represents the upper end of the relevant range for a particular pay grade, no adjustments should be made to the base salary of a red-circled employee until such time as the employee's salary falls within the assigned salary range.

Transfer or Reassignment of an Individual

A. Promotion

A promotion occurs when an individual is transferred or reassigned to a job in a higher pay grade than his or her existing pay grade. An increase in the rate of pay of the individual being promoted should be determined jointly by the respective immediate supervisor and the Director of Human Resources and Labor Relations and should take into consideration:

- The individual's qualifications to perform the new job and his or her relevant experience, and
- The rates of pay, qualifications, and experience levels of any other employees assigned to the same job classification, and
- The percentage differential between the existing and new pay grades.

The new rate of pay of the individual being promoted should be at least equal to the minimum of the new salary range and/or the closest step that would result in at least a five percent (5%) increase. **The County Administrator and/or the Director of Human Resources and Labor Relations can approve a starting rate of pay up to the one year step.** Special pay will be considered when setting the rate of pay for a promoted individual to the extent that the employee should not suffer a loss in pay by accepting the promotion if the special pay is to be discontinued. Promotional increases generally should be granted concurrently with the employee's assumption of his/her new job duties.

B. Demotion

A demotion occurs when an individual is transferred or reassigned to a job in a lower pay grade than his or her existing pay grade. A demotion can be initiated for a variety of reasons (e.g., poor performance, employee preference). Depending upon the circumstances, demotions and the impact on pay include:

WHO INITIATES	REASON	IMPACT ON PAY
Individual Employee	Voluntary	Adjusted to reflect: <ul style="list-style-type: none"> • The individual qualifications to perform the new job and his or her relevant experience, and • The rates of pay, qualifications, and experience levels of any other employees assigned to the same job classification, and • The percentage differential between the existing and new pay grade. New rate must be at or below maximum of the new pay grade.
Supervisor or Department Head	Performance Related	Adjusted to reflect: <ul style="list-style-type: none"> • The individual's qualifications to perform the new job and his or her relevant experience, and • The rates of pay, qualifications, and experience levels of any other employees assigned to the same job classification, and • The percentage differential between the existing and new pay grades. The new rate must be at or below maximum of the new pay grade.
Department Manager	Business-related <ul style="list-style-type: none"> • Reduction in Force • Reorganization • Position Requirements Modified 	No adjustment to current rate of pay. If the current rate of pay exceeds the maximum of the new pay range, the individual will be considered "red-circled."

C. Lateral Transfer

A lateral transfer occurs when an individual is transferred or reassigned to a position in the same pay grade as his or her existing job. Generally, no adjustment in the rate of pay should occur.

Annual Pay Structure Analysis

In response to market trends, the salary structure should be reviewed and updated annually, as appropriate. Based upon a market analysis and financial considerations of the County, a percentage

factor should be determined and applied to the salary ranges to update the compensation structure. All ranges should be adjusted consistently by a percentage rate as opposed to a flat dollar amount to assure the integrity of the characteristics of the structure (e.g., range widths, pay grade differentials).

Guidelines for Appealing Compensation Classification

If an individual or their supervisors feel that the placement of a job within the classification (grade) structure is incorrect, an appeal can be made to the Human Resources Department to reevaluate the position. Appeals require the following:

1. The employee and/or the supervisor shall review the existing JAQ and make any changes that are deemed appropriate. Supervisors will approve any changes.
2. The appeal will be forwarded to Human Resources with the revised JAQ, including a cover letter outlining the reason for the appeal and any additional documentation.
3. Human Resources will review the new JAQ and any supporting material.
4. Upon completion of the review, Human Resources will present a recommendation to the Personnel Committee.
5. The Personnel Committee may accept, refuse or modify the recommendation from Human Resources. This Committee's decision will be final.
6. Further appeals require a six-month waiting period and evidence of significant job function changes.

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

**RESOLUTION AUTHORIZING AN ADDITIONAL CONTRIBUTION TO MERS -
COUNTY ADMINISTRATION - FINANCE**

WHEREAS, Eliminating or reducing long term liabilities is an important priority as it affects both the financial health and sustainability of Livingston County; and

WHEREAS, In a financial analysis done in December 2013 by The PFM Group regarding county reserves and the best uses for those reserves the recommendation was to use a portion of the county reserves to reduce the County's actuarial unfunded MERS pension liability; and

WHEREAS, the advantages of reducing the actuarial unfunded MERS pension liability are: 1) potential to reduce future annual required contributions (ARC); 2) the proceeds are invested more aggressively with the potential for a much greater return than one would expect to earn in a traditional municipal operating investment;

THEREFORE BE IT RESOLVED that the Board of Commissioners hereby authorizes a payment of \$1.0 million from the Benefit Fund to accelerate the funding of MERS pension for those closed Defined Benefit employee groups currently under an 80% funding level, proportionate with the unfunded actuarial accrued liabilities, per employee group division, as reflected in the 12-31-2014 actuarial;

BE IT FURTHER RESOLVED that the Board of Commissioners hereby authorizes the budget amendment to effectuate the MERS contribution.

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MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO.

LIVINGSTON COUNTY

DATE:

RESOLUTION AUTHORIZING A STRATEGIC BUSINESS PARTNERSHIP AGREEMENT WITH CLEARY UNIVERSITY

WHEREAS, the County entered into a Strategic Business Partnership agreement with Cleary University in 2009 which is designed to be a benefit to both parties; and

WHEREAS, Cleary University is requesting a revised agreement which clarifies the Partnership; and

WHEREAS, the Partnership continues to include permission to list the County as a partner on the Cleary University web site and for Cleary University to be granted a reciprocal link on the County's website; and

WHEREAS, Cleary University, as part of the agreement, will offer employees of Livingston County and their dependents a tuition grant of twenty percent (20%) of the net tuition costs for any newly enrolled Cleary University student working toward an undergraduate or graduate degree, as well as a certificate taken for academic credit; and

WHEREAS, the agreement is cancelable by either party with thirty (30) days written notice: and

WHEREAS, this agreement is in compliance with the County's Website Link Policy and has been approved by the Information Technology Committee.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes a Strategic Business Partnership Agreement with Cleary University.

BE IT FURTHER RESOLVED that the Chair is authorized to sign any necessary documents to effectuate this agreement upon review and approval by Civil Counsel.

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**MOVED:
SECONDED:
CARRIED:**

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION TO SUSPEND THE VOLUNTARY FURLOUGH POLICY FOR LIVINGSTON COUNTY EMPLOYEES

WHEREAS, Livingston County adopted a Voluntary Furlough Policy in 2009 in response to the economic recession and budget deficit as a way for employees to voluntarily reduce salary costs while maintaining services; and

WHEREAS, the economic conditions that were present in 2009 when the Board adopted the Voluntary Furlough policy no longer exist.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby suspends the Voluntary Furlough policy for employees effective with the approval of this resolution.

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MOVED:

SECONDED:

CARRIED:

Livingston County Michigan Human Resources Policy Manual

Section: Subject:	Voluntary Furlough
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A. POLICY

1. PURPOSE:

The Voluntary Furlough Policy was designed with a primary goal to reduce salary costs while maintaining services. The objective of voluntary furlough is to contribute to the reduction of the budget deficit and to allow employees to take additional time off of work while preserving their vacation accruals.

2. POLICY STATEMENT:

It is the policy of Livingston County to initiate a voluntary furlough leave. All employees without exception will be eligible to apply for unpaid furlough **pending letter of understanding receipt from the various bargaining groups.**

This is a procedural change to the Absence Policy beginning immediately. Employees, including Department Heads may request specific time off without pay.

An employee must submit a request for voluntary furlough hours in writing to the supervisor. All supervisors are encouraged to make reasonable efforts to accommodate employee requests for furlough hours, but all should recognize that the furloughs will be scheduled to minimize disruption to the efficient operations of the department.

Furlough is considered an excused absence for holiday pay for eligibility purposes.

Furlough does not change the six-month waiting period for usage of vacation for new hires.

Failure on the part of the employee to return to work, as directed, from voluntary *furlough* without pay shall be cause for discharge **subject to union contract provisions.**

Furlough days are not to be used as a part of a progressive disciplinary process.

*If voluntary furlough time is used **and is eligible** for FMLA purposes, the voluntary furlough time will be counted towards the employees annual FMLA usage.*

Use of voluntary furlough may affect the employees eligibility for various benefits. This is not time worked and therefore, benefits earned based on time "worked" may not be accrued during time off without pay.

If, however, your status is reduced on average to 30 hours a week, you will be required to pay for ¼ of your health care selection plus any additional sharing of health care costs imposed by the county, If your status is reduced on average below 30 hours, you will no longer be eligible for health care, life insurance, short term and long term disability.

Employees approved for furlough shall retain their anniversary date for merit increases and shall be eligible to seek promotions while on furlough.

If a layoff should occur while an employee is on a voluntary furlough, the employee's status shall be determined as if the employee was in active status. For example, if the employee was on active status, and the employee would have been subject to layoff notice, he/she will receive a layoff notice and his/her status shall be determined by following the County's policy on Workforce Reduction.

Insofar as possible, employee's requesting Voluntary Furlough shall be allowed to select the date(s) for furlough so long as the selected date(s) does not interfere with delivery of service or other work to be done, does not result in the payment of overtime, and does not disrupt the continuity of operations.

3. APPLICABILITY:

All full-time, part-time and temporary staff will be eligible for voluntary furlough pending receipt of Letters of Understanding from the various bargaining groups. New hires also can apply for voluntary furlough days. Non-Exempt employees may also request a reduction in the number of work hours in a day.

Voluntary Furlough will be in effect until further notice, and will not be lifted without an affirmative action taken by the Board of Commissioners.

4. DEFINITIONS:

Furlough – placing an employee in a temporary nonwork status.

Exempt Employee – Fair Labor Standard Act (FLSA) job categories which include occupations which fall under Elected and Appointed Officials and Administrators; and Professionals.

Non-Exempt Employee – Fair Labor Standard Act (FLSA) job categories which include occupations which fall under Technicians; Protective Service Workers; Paraprofessionals; Administrative Support; Skilled Craft Workers; and Service Maintenance.

Final Average Compensation (FAC) – Final average compensation is the average of the highest consecutive three (3) year or five (5) year period of the employee's credited service for determining a defined benefit pension amount.

MERS Service Credit - You will earn a month of pension service credit for each month you work and meet Livingston County's service requirement that includes working at least 21 hours each week or ten (10) eight (8) hour days. This excludes part-time and temporary (normally requiring less than six (6) months of work) employees.

5. REFERENCE AND LEGAL AUTHORITY:

Fair Labor Standards Act (FLSA)
Municipal Employee's Retirement System of Michigan (MERS)
Family and Medical Leave Act (FMLA)

6. SEE ALSO:

Vacation Policy
Sick Policy
FMLA
Holiday Pay
Workforce Reduction Policy
Position Action Request (PAR) Form

7. SUPERSEDES:

8. APPROVED BY:
Personnel Committee: July 15, 2009
Finance Committee: July 22, 2009
Board of Commissioners: August 3, 2009

9. RESOLUTION: No.

10. REVIEW HISTORY:

B. PROCEDURE:

The Voluntary Furlough Policy is a procedural change to the Personal Leave of Absence/Absence Without Pay Policy.

- 1) Interested employees will need to indicate their desire for Voluntary Furlough in writing to their Supervisor/Department Head/Elected Official.
- 2) Employees must first obtain **advance written** approval from their Supervisor/Department Head/Elected Official prior to taking any voluntary furlough time.
- 3) The Supervisor/Department Head/Elected Official will **ensure any time off due to voluntary furlough will be coded as 'Unpaid Time' in e-time. The Supervisor/Department Head/Elected Official will** prepare a Position Action Request (PAR) Form authorizing the voluntary furlough time **for any time in excess of ten (10) days per month**. This PAR will be processed in the same manner as any other Personnel Action Request. Copies of the authorized PAR will be provided to the staff, the authorizing department, payroll and Human Resources.
- 4) The employee's paycheck will be reduced during the pay period the voluntary furlough time is taken.
- 5) Under the voluntary furlough program, the time taken off will be without pay, and the employee's current benefits will remain in effect, unless reduced earnings for the pay period are not sufficient to cover deductions.
- 6) Since annual compensation will be affected, your Final Average Compensation for MERS will be impacted if the year *in which furlough* is used.
- 7) Other leave balances do not have to be exhausted to participate in this program.
- 8) This is not time worked, and therefore, benefits earned based on time "worked" may not be accrued during time off without pay.
- 9) Voluntary time off **will not** be approved if overtime is requested to cover for the employee's absence.
- 10) This program **cannot be** used to extend a date of retirement or extend a date of resignation.
- 11) Use of furlough days will be coordinated with departments that depend on others to fulfill their responsibilities.*
- 12) If it is necessary for the County to require mandatory time off or layoff in order to balance the budget in this or future fiscal years, no credit will be given to those who volunteer for the time off except for current fiscal year.

Questions and Answers regarding Voluntary Furlough

1. How do you indicate voluntary furlough on your time sheet?

Zero hours worked will be reflected on your time sheet. Your time sheet will be verified by the authorizing Position Action Form (PAR.)

2. What happens if several people in my department want to take the same furlough days off?

It is up to your Supervisor/Department Head/Elected Official to coordinate voluntary furlough days off for your department using procedures like those for approving multiple vacation requests. This also includes any “emergency” or last minute requests for time off work.

3. Can I string together vacation days and multiple furloughs to extend my time off of work?

That’s up to your Supervisor/Department Director/Elected Official.

4. Once I have submitted my furlough request, will I be able to change requested dates?

It’s up to your department guidelines for scheduling time off. Supervisors will be encouraged to make reasonable efforts to accommodate furlough schedule requests.

5. If I take furlough on the week where the following Monday is a holiday (say the week before Labor Day) is that holiday a paid day off?

Furlough is considered an excused absence, so yes, you would get paid for the holiday the following Monday.

6. As an employee, can I take furlough days in one pay period that might result in a net pay of \$0 and place my medical, optical, supplemental life insurance, etc. into arrears?

If you have written supervisory approval, yes you can.

7. How will you determine the amount of pay to deduct for my furlough time off?

The amount of furlough will equal your hourly rate times the number of furlough hours requested in the pay period. The “hourly rate” will equal the annual salary divided by 2080 hours (52 weeks x 40 hours) for employees working 40 hours.

8. What if my pay for the week or month is insufficient to permit deductions to be made from my check? What is the order of withholding precedence?

The Payroll Department must comply with applicable laws, regulations and other legal authorities when administering deductions from your paycheck. Generally, the remaining deductions are taken in the following order:

- Federal and State Tax Withholdings
- Pre-tax deductions such as health, optical, flexible spending accounts
- After tax deductions such as supplemental life insurance, child support, garnishments, union dues etc.

If your pay is insufficient to cover all deductions, most of the deductions will go into arrears and will be deducted in the next pay period. Child support, wage garnishments, will not be placed into arrears.

9. Do your furlough hours count as time worked for calculating overtime pay?

No, furlough time does not count as hours worked in calculating overtime.

10. Will my furlough time have an effect on your retirement benefits?

Yes it could providing that span of time was used in determining your highest consecutive five (5) year (60) month period of Livingston County service or three (3) year (36) month period.

11. What happens to my insurance and retirement service credit during voluntary furlough?

The intermittent nature of furlough is designed to avoid any adverse impact to medical benefits, retirement service credit, etc. If you are on pay status for at least 10 eight hour work days during the month, you are entitled to uninterrupted medical/dental coverage and continued service credit for retirement calculations. If, however, your status is reduced on average to 30 hours a week, you will be required to pay for ¼ of your health care selection plus any additional sharing of health care costs

imposed by the county. If your status is reduced on average below 30 hours, you will no longer be eligible for health care, life insurance, short term and long term disability.

12. What happens to my vacation/sick leave accruals during the furlough period?

The intermittent nature of the furlough is designed to avoid any adverse impact to vacation, sick leave accruals, etc. If you are receiving compensation for at least ten eight hour days a month, you are entitled to your accrual vacation time and sick leave.

13. Can I change the amount deducted for my Flexible Spending Accounts (health care reimbursement or dependent care reimbursement):

Due to IRS requirements, you may not change the amount of your Flexible Spending Account in the middle of a benefit year. Unless you experience a qualified status change. The next time, you are eligible to change the amount would be during open enrollment.

14. What if an employee is sick for five consecutive days, and has a planned furlough day on the fourth day. Can he change furlough day to a sick day?

It depends on if the employee is on Family and Medical Leave (FMLA) in conjunction with the sick leave. If the employee is on an approved FMLA for those five days, the employee would take the five sick time days since the FMLA policy requires paid leave to be used prior to being placed on unpaid status. If you have exhausted your paid leave while on FMLA, your furlough will run concurrent with unpaid FMLA leave.

If the employee is not on FMLA, the employee who requested a furlough day cannot change the furlough day into a sick day once the furlough day has been approved by the supervisor.

In both instances, the provisions are subject to individual collective bargaining agreements and will be contingent on the various union contracts.

15. What if Livingston County closes its offices due to inclement weather during my scheduled furlough days off?

If Livingston County closes to inclement weather on your scheduled furlough day, an employee cannot reschedule the furlough day.

16. Will I be able to receive unemployment benefits if I am approved for Voluntary Furlough?

Your eligibility for unemployment benefits is determined by the State of Michigan. However, the County will provide information to the State indicating your desire to reduce your hours or days worked.

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION TO CERTIFY OFFICER AND EMPLOYEE DELEGATES TO THE MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM ANNUAL MEETING

WHEREAS, the 2015 MERS Annual Meeting will be held on October 8 through October 9 at the Amway Grand Plaza Hotel in Grand Rapids, Michigan; and

WHEREAS, in accordance with the MERS Plan Document, delegates for the MERS Annual Meeting may be appointed by official action of the Board of Commissioners; and

WHEREAS, nominations were sought for Employee Delegates and two (2) staff received nominations and both are interested in attending the meeting; and

WHEREAS, costs of employees' attendance at the MERS annual meeting will be paid through the Benefit Fund.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners appoints Cindy Catanach, Deputy County Administrator/Finance Officer, as Officer Delegate and Barbara Ritchie, Senior Payroll Clerk, as Alternate Officer Delegate, Bill Worden, Assistant Prosecuting Attorney II, as the Employee Delegate, and Theresa St. John, Judicial Secretary, as the Alternate Employee Delegate for the 2015 MERS Annual Meeting.

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners authorizes reasonable expenses in accordance with adopted Board policy.

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**MOVED:
SECONDED:
CARRIED:**